

**02.02.2024**

757(ML)  
Ct. No. 29  
**S.D.**  
**Allowed**

**C.R.M.(A) 5480 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kirnahar** Police Station Case No. **135 of 2023** dated **21.09.2023** under Sections **305** of the Indian Penal Code read with Section 67A of the Information Technology Act.

And

In Re: Sudip Mondal @ Sudip Kumar Mondal  
..... petitioner  
Mr. Souparna Sinha  
....for the petitioner  
Ms. Subhasree Patel  
...for the State

Post mortem report of the victim suggests that the death was due to the effects of hanging anti mortem in nature.

Apparently, the victim committed suicide.

As to the abetment, if there be any of the petitioner in such commission of suicide may be decided at the trial.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioners will report before the Investigating Officer once a fortnight till the conclusion of the investigation. The petitioners shall appear on every date before

the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**